

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Makoto YAMADA et al.)	Group Art Unit: 2621
)	
Application No.: 10/578,347)	
)	Examiner: Thai O. Tran
Filed: May 5, 2006)	
)	Confirmation No: 6634
For: RECORDING APPARATUS AND)	
METHOD, PLAYBACK)	
APPARATUS AND METHOD,)	
RECORDING MEDIUM, AND)	
PROGRAM)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits.

Copies of the listed foreign and non-patent documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate they were considered by making an appropriate notation on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art

against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 12, 2008

By: /Michael R. Kelly/
Michael R. Kelly
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